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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

NEW JERSEY COALITION OF
AUTOMOTIVE RETAILERS, INC.,

Plaintiff,

v.

MAZDA MOTOR OF AMERICA, INC.

Defendant.

Case No. 3:18-cv-14563-BRM-TJB

Motion Day: December 17, 2018

REPLY DECLARATION OF KYLE KACZMAREK

I, Kyle Kaczmarek, declare:

1. I am the Network Operations Manager for the Northeast Region of defendant Mazda Motor of America, Inc., d/b/a Mazda North American Operations (“Mazda”). I have personal knowledge of the facts stated herein.

2. I have been advised that, in its Brief on Behalf of Plaintiff New Jersey Coalition of Automotive Retailers, Inc. (“NJ CAR”) in Opposition to Mazda’s

Motion to Dismiss, NJ CAR's counsel has suggested that New Jersey Mazda dealers may not qualify for the 2.0% Customer Experience portion of the MBEP.

3. I have researched the payouts received by New Jersey Mazda dealers under the MBEP since it was introduced in July 2018, and have found that 13 out of the 16 current dealers have received the full Customer Experience payment every month.

4. Annexed hereto as Exhibits A through E respectively are true copies of (A) the Declaration of Kevin DiPiano, dated December 12, 2018; (B) the Declaration of Glenn Ellis, dated December 12, 2018; (C) the Declaration of Adam Kraushaar, dated December 13, 2018; (D) the Declaration of John D. Schwartz, dated December 11, 2018 and (E) the Declaration of Harris Wildstein, dated December 11, 2018.

I declare under penalty of perjury that the foregoing is true and correct.
Executed in Bridgewater, New Jersey on December 17, 2018.



Kyle Kaczmarek